

WASHINGTON—Last evening, Congressman Joe Sestak (D-PA) introduced the Elder Abuse Victims Act (H.R. 5352), a piece of legislation to protect America's seniors from elder abuse by addressing and correcting the failures in state elder abuse policies, establishing specialized prosecution and research departments, and training prosecutors and law enforcement on the best practices for handling these unique cases. — “Everyday, too many of our nation's seniors become victim to physical, emotional or sexual abuse,” said Congressman Sestak. “This legislation recognizes the limitations to our country's approach to elder abuse prosecution and rehabilitation, and puts in place a system to assess and adequately respond to these deficiencies.”

Each weekend, Congressman Sestak visits senior groups and centers across the District. Over the past year, the Congressman has spoken to over 65 senior groups and centers on a variety of issues, including elder neglect and abuse at nursing homes. Last week, Congressman Sestak spoke at the Upper Darby Senior Center and Brighten at Broomall about the need to provide awareness and to address elder abuse through strengthening protections and providing greater training for law enforcement officers and prosecutors. Brighten of Broomall is among 52 nursing homes in the U.S. on Centers for Medicare and Medicaid Services list for “Special Focus Facilities Not Showing Significant Improvement.”

The number of elder abuse cases is on the rise across the country, according to estimates by the National Research Council Panel to Review Risk and Prevalence of Elder Abuse, between one and two million Americans age 65 or older have been victims of elder abuse. These are uncertain estimates because definitions of elder abuse vary widely from state-to-state, and there are many imperfections in our national effort to adequately prevent, prosecute, and rehabilitate victims of this type of abuse.

Congressman Sestak introduced the Elder Abuse Victims Act to ensure that elder abuse and neglect cases will be effectively handled and that criminals who commit such acts will be fully prosecuted under the law.

“We are pleased to work with Congressman Sestak on the Elder Abuse Victims Act. He is championing legislation to help protect our nation's seniors from elder abuse, neglect, and exploitation. The legislation will not only study the state laws and practices to protect seniors, but would provide funding so that organizations, law enforcement officials, and prosecutors will become trained in identifying and addressing elder abuse and neglect.” said Bob Blancato, National Coordinator of the Elder Justice Coalition.

### **The Elder Abuse Victims Act will:**

- Require the Attorney General to conduct a study evaluating state laws and practices designed to protect seniors from elder abuse, neglect, and exploitation.
- Within two years following enactment, require that the study be submitted to the Committee on Aging and the Speaker/Minority Leader of the House, in which they will: 1) describe and analyze state laws and practices designed to protect seniors from elder abuse, neglect, and exploitation. It will consider a state's reporting laws to be sure that in cases of abuse, they will be reported and the reporter will not suffer retribution; 2) Provide recommendations on the need for more effective laws; and 3) recommend additions or revisions to the official definition of terms used to protect seniors from elder abuse and enforce laws to punish violators.
- Task the Attorney General with the responsibility of establishing a plan for elder justice programs and activities throughout the country.

### **Elder Abuse Victims' Advocacy Grant**

- Propose funding entities which specialize in the needs of victims of elder abuse. Health care, social and protective service providers, among others, would be eligible for the Elder Abuse Victims' Advocacy Grant.

### **Elder Justice Prosecutorial Department Funding**

- Fund the creation of the Center for the Prosecution of Elder Abuse, Neglect, and Exploitation by the American Prosecutor Research Institute of the National District Attorneys Association.
- Fund the creation of either elder justice prosecution positions or the creation of a position to coordinate elder justice-related cases. It will include training, technical assistance, and policy development for state prosecutors.
- Fund additional staff that will focus on elder abuse cases, an elder abuse "resource group" through the Executive Office of the United States Attorneys, nurse-investigators and other experts to assist in prosecution.

### **Support Law Enforcement in Elder Abuse Matters**

- Fund training of law enforcement officials on the important factors involved in elder abuse cases.

"I believe that this legislation will strengthen the way by which we prosecute perpetrators of elder abuse and protect its vulnerable victims," stated Congressman Sestak. "It will require a comprehensive review and study of states' elder justice systems, including definitions of abuse- followed by a report to Congress- and it will do more to improve the prosecution and enforcement of elder justice cases."

Since being elected to office, Congressman Sestak has worked hard to establish oversight for elder abuse, neglect and exploitation. He has been a leading advocate and co-sponsor of H.R. 1783, legislation that would allocate funds for state and local adult protective services that investigate reports of elder abuse and work with congressional committees to establish a national nurse aide registry. It would create grants to establish stationary and mobile forensic centers, develop forensic expertise and provide services for elder neglect and exploitation. Additionally, this legislation would provide incentives for individuals to receive training in providing better direct care in a long-term care (LTC) facility.

*Born and raised in Delaware County, former 3-star Admiral Joe Sestak served in the Navy for 31 years and now serves as the Representative from the 7th District of Pennsylvania. He led a series of operational commands at sea, including Commander of an aircraft carrier battle group of 30 U.S. and allied ships with over 15,000 sailors and 100 aircraft that conducted operations in Afghanistan and Iraq. After 9/11, Joe was the first Director of "Deep Blue," the Navy's anti-terrorism unit that established strategic and operations policies for the "Global War on Terrorism." He served as President Clinton's Director for Defense Policy at the National Security Council in the White House, and holds a Ph.D. in Political Economy and Government from Harvard University. According to the office of the House Historian, Joe is the highest-ranking former military officer ever elected to the U.S. Congress.*